



Punjab Government Gazette

EXTRAORDINARY

Published by Authority

CHANDIGARH, TUESDAY, MARCH 27, 2018
(CHAITRA 6, 1940 SAKA)

PUNJAB VIDHAN SABHA SECRETARIAT

NOTIFICATION

The 27th March, 2018

No. 15-PLA-2018/16.- The Salary and Allowances of Leader of Opposition in Legislative Assembly (Amendment) Bill, 2018 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No.15-PLA-2018

THE SALARY AND ALLOWANCES OF LEADER OF OPPOSITION IN LEGISLATIVE ASSEMBLY (AMENDMENT) BILL, 2018

A
BILL

further to amend the Salary and Allowances of Leader of Opposition in Legislative Assembly Act, 1978.

BE it enacted by the Legislature of the State of Punjab in the Sixty-ninth Year of the Republic of India as follows:-

1. (1) This Act may be called the Salary and Allowances of Leader of Opposition in Legislative Assembly (Amendment) Act, 2018. Short title and commencement.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

Omission of
section 3-A of
Punjab Act 12 of
1978.

2. In the Salary and Allowances of Leader of Opposition in Legislative Assembly Act, 1978, section 3-A shall be omitted.

STATEMENT OF OBJECTS AND REASONS

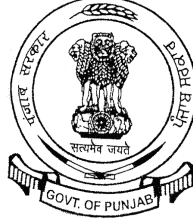
As per the Section 3-A of "The Salaries and allowances of Leader of Opposition in Legislative Assembly Act, 1978, the payment of income tax of Leader of Opposition is made from the State exchequer during the last years. The council of Ministers in its meeting dated 24th March, 2018 has taken a decision to delete Section 3-A of this Act. So, there is also need to amend "The Salaries and allowances of Leader of Opposition in Legislative Assembly Act, 1978".

It is proposed to amend the "The Salaries and allowances of Leader of Opposition in Legislative Assembly Act, 1978" to achieve the above said objective.

BRAHM MOHINDRA,
Minister for Parliamentary Affairs, Punjab.

Chandigarh
The 27th March, 2018

SHASHI LAKHANPAL MISHRA
Secretary.



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PUNJAB VIDHAN SABHA SECRETARIAT

NOTIFICATION

The 27th March, 2018

No. 13-PLA-2018/17.-The Punjab Laws (Special Provisions for Regularization of Unauthorized Colonies) Bill, 2018 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No.13-PLA-2018

**THE PUNJAB LAWS (SPECIAL PROVISIONS FOR
REGULARIZATION OF UNAUTHORIZED COLONIES)
BILL, 2018**

A

BILL

to make special provisions for better planning and regulating the development of unauthorized colonies, plots and buildings falling in unauthorized colonies, which are causing infrastructure and public safety issues in the State of Punjab and for the matters connected therewith or incidental thereto.

Whereas, in order to make provision for better planning and regulating the development and use of land in planning areas, for preparation of Regional

(1445)

Plans, Master Plans and implementation thereof and for undertaking urban development and housing programmes and schemes, the Punjab Regional and Town Planning and Development Act, 1995 (Punjab Act No. 11 of 1995) was enacted by the State of Punjab, which came into force on and with effect from the 1st July, 1995;

Whereas, in order to regulate the promotion of construction, sale, transfer and management of apartments on ownership basis and to regulate colonies and for matters connected therewith, the Punjab Apartment and Property Regulation Act, 1995 (Punjab Act No. 14 of 1995) was enacted, which came into force on and with effect from the 30th October, 1995;

Whereas, due to large scale migration of population from rural area to urban area, the population has increased many fold on urban settlement resulting in higher demand for housing and civic infrastructure and comparatively less number of promoters came forward to obtain colony licenses under the Punjab Apartment and Property Regulation Act, 1995 for development of planned colonies in the State. Resultantly, a large number of unauthorized colonies mushroomed in the State. However, in the absence of effective implementation of the said Acts, not much exercise could be undertaken to demolish the unauthorized colonies and also the buildings constructed on plots during all these years;

Whereas, during all these years spanning over last about two decades, a large number of colonies have come up without approval of the competent authority and a large number of residential or commercial buildings have been constructed in these colonies without approval and without proper facilities and it is not in the public interest to demolish such a huge number of unauthorized colonies or buildings uprooting the public at large;

Whereas, the Government had constituted a committee of Experts to suggest a strategy to deal with this situation, which after assessing the ground realities has suggested not only the unauthorized colonies and buildings situated in such colonies should be regularized by framing a policy but basic amenities should also be provided in such colonies to give breathing space to the residents of these colonies;

Whereas, after considering the suggestions of experts, it has been considered necessary in the larger public interest to provide relief to the people of the State by regularizing unauthorized colonies or buildings within the policy framework to be specified by the Government;

Whereas, in order to bring all these unplanned areas into the fold of planned development and to ensure provision of basic amenities for better quality of life to the residents of these colonies, the Government of Punjab had earlier enacted the Punjab Laws (Special Provisions) Act, 2013, which had been further re-enacted in the year of 2014 and again in the year of 2016 for the framing of policies. Out of these three enactments, the first two remained operative for a period of one year each i.e. from the 17th April, 2013 to the 16th April, 2014 and the 6th February, 2015 to the 5th February, 2016, respectively. Whereas the third enactment remained operative for a period of six months i.e. from the 21st October, 2016 to the 20th April, 2017. However, some of the colonizers or plot holders of the unauthorized colonies could not apply for regularization under the previous policies and also some amendments are required to be made in the previous policy so that maximum number of un-authorized colonies could be covered under the new policy;

And whereas, it is expedient to have a law to provide relief to the people of the State of Punjab residing in unauthorized colonies.

BE it enacted by the Legislature of the State of Punjab in the Sixty-ninth Year of the Republic of India as follows:-

1. (1) This Act may be called the Punjab Laws (Special Provisions for Regularization of Unauthorized Colonies) Act, 2018. Short title and commencement.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

2. (1) In this Act, unless the context otherwise requires,- Definitions.

(a) "appellate authority" means appellate authority appointed under section 10;

(b) "Colony" means an area of land not less than one thousand square meters divided into plots for residential, commercial or industrial purpose;

(c) "Competent Authority" means any person or authority as specified in section 7 to exercise and perform all or any of the powers and functions of the Competent Authority under this Act;

(d) "Government" means the Government of the State of Punjab;

(e) "Master Plan" means master plan prepared and notified under the Punjab Regional and Town Planning and Development Act, 1995;

(f) "Public Land" means land owned by the Central or the State Government, Boards or Corporations constituted under any Central or State law or owned by the Central or State Government including the land owned by Gram Panchayat or Municipality;

(g) "punitive action" means action taken by the local authority or the competent authority under the relevant law against unauthorized development and shall include demolition, displacement of persons or their business establishment from their existing location, whether in pursuance of court orders or otherwise;

(h) "Residents Welfare Association (RWA)" means a society of the plot holders of an unauthorized colony or a cooperative society registered under the Societies Registration Act, 1860;

(i) "section" means a section of this Act; and

(j) "unauthorized colony" means a colony and includes a building or apartments constructed in such colony, which has been developed by promoter in contravention of the provisions of the Punjab Apartment and Property Regulation Act, 1995 (Punjab Act 14 of 1995).

(2) The definitions of the expressions 'apartment', 'authority', 'development charges', 'development works', 'external development works', 'internal development works', 'local authority', 'person', 'promoter' or any other word used in this Act, but not defined shall have the respective meanings as assigned to them in the Punjab Regional and Town Planning and Development Act, 1995 and the Punjab Apartment and Property Regulations Act, 1995.

Disposal of
pending
applications.

3. All pending applications received by the local authority or the competent authority under the Punjab Laws (Special Provisions) Act, 2013, the Punjab Laws (Special Provisions) Act, 2014 and the Punjab Laws (Special Provisions) Act, 2016, shall also be dealt with under this Act.

Regularization of
unauthorized
development.

4. Notwithstanding anything contained in any other State law for the time being in force and subject to payment of fee, development charges and fulfillment of terms and conditions, as may be determined in the policy to be framed by the Government under this Act, the development shall be deemed to be regularized under the provisions of the respective Act including where any action has been initiated for such violations.

5. During the period of operation of this Act, no relief of regularization shall be available under the provisions of section 3 in respect of the following categories of unauthorized development, namely:-
- Provisions of this Act not to apply in certain cases.
- (a) any unauthorized construction or development raised or continued on or after the 19th day of March, 2018;
 - (b) encroachment on public land;
 - (c) unauthorized development raised on area, which is notified under the Land Acquisition Act, 1894, the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the Forest (Conservation) Act, 1980, the Punjab Land Preservation Act, 1900, the Environment (Protection) Act, 1986 and the Works of Defence Act, 1903 or an area covered under any other Central or State Act;
 - (d) Unauthorized development raised on land falling in restricted areas along Scheduled Roads and National Highways or any other restricted area declared under any other Central or State law;
 - (e) any other type of land or building as may be decided by the Government; and
 - (f) Unauthorized Marriage Palaces and the unauthorized stand alone buildings for which the Government has notified separate policies.
6. No person shall be entitled to claim any benefit or relief of regularization under this Act unless all the terms and conditions have been fulfilled and the requisite fee and charges as specified by the Government have been deposited.
- Entitlement of claim.
7. The Chief Administrator of the concerned Special Development Authority in case of area falling outside municipal limits, the Commissioner, Municipal Corporation, in case of area falling within Municipal Corporation limits and the Regional Deputy Director, Local Government for the area falling within municipal limits of Municipal Council or Nagar Council or any other person or authority notified by the Government, shall be the competent authority to exercise and perform all or any of the powers and functions under this Act.
- Competent Authority.
8. (1) Any person intending to get unauthorized colony or building or apartment regularized under this Act, shall apply in writing or online to the competent authority for regularization in such form containing such particulars and accompanied by such documents and plans, as may be specified in the policy and by the competent authority.
- Powers and functions of the competent authority.

(2) On receiving application duly made under sub-section (1) and on payment of charges and fee specified in the policy relating to change of land use, regularization or development charges, license fee or permission fee, social infrastructure fund, compounding fee etc., the competent authority may pass an order,-

- (i) granting regularization unconditionally; or
- (ii) granting regularization subject to such conditions as it may think necessary to impose; or
- (iii) refusing regularization; and
- (iv) where regularization is granted subject to the conditions or is refused, such conditions or refusal shall be communicated to the applicant in writing.

Power to make policy.

9. The Government may, by notification in the Official Gazette frame and notify a policy for carrying out the purposes of this Act.

Appellate authority.

10. The Government may, by notification in the Official Gazette, appoint an officer or an authority as an appellate authority, to decide appeals against the orders of the competent authority:

Provided that the Government may appoint more than one officer or authority as appellate authority and distribute the work amongst them in the manner as it may deem fit.

Appeal against the orders of the competent authority.

11. (1) Any person aggrieved by any order of the competent authority under this Act, may within a period of thirty days from the communication of the order to him, prefer an appeal to an appellate authority in such form and manner, as may be notified.

(2) The appellate authority may, after giving an opportunity to be heard to the parties and to the competent authority, pass such order, as it may deem fit, either confirming, modifying or setting aside the order of the competent authority, and record its reasons in writing and the order of the appellate authority shall be final.

(3) In discharging its functions while deciding an appeal, the appellate authority shall have all the powers under the Code of Civil Procedure, 1908 of a civil court.

Power of Government to give directions.

12. The Government may, from time to time, issue such directions to the competent authority as it may deem fit, for giving effect to the provisions of this Act and it shall be the duty of the competent authority to comply with such directions.

13. Any person or promoter or his agent who will develop un-authorized colony or building on or after the date as specified in section 5 (a) shall, on conviction, be punished with imprisonment for a minimum term of three years which may extend to seven years and with minimum fine of rupees two lac, which may extend to rupees five lac. Offences and penalties.
14. On or after the date as specified in section 5(a), if the competent authority has a reason to believe that any un-authorized colony or un-authorized building has been constructed, then it shall have the power to order to stop the construction or development of such un-authorized building or colony or to demolish or remove the same after giving a notice of thirty days and affording a reasonable opportunity of being heard to the person concerned. Power of the competent authority.
15. No suit, prosecution or other legal proceedings shall lie against any person for anything which is done in good faith or intended to be done in pursuance of this Act or any policy made thereunder. Protection of action taken in good faith.
16. No civil court shall have jurisdiction to entertain any suit or proceedings in respect of any matter, the cognizance of which can be taken and disposed of by any authority empowered by this Act or the policy made thereunder. Bar on jurisdiction of courts.

STATEMENT OF OBJECTS AND REASONS

Given the constraint of affordable housing, a large number of citizens in the State buy plots for residential accommodation in unplanned colonies, which do not provide for adequate basic amenities. The Government intends to improve the basic amenities in such colonies for better quality of life and safety of people, as a result, aims to enact a special legislation titled as “The Punjab Laws (Special Provisions for Regularization of Unauthorized Colonies) Bill 2018, allowing the developers of such colonies and the plot holders to get their colonies/ plots regularized on payment of composition fee and other charges. The amount of fee and other charges collected from the developers and the plot holders of such colonies will be used to develop basic amenities for the residents of these colonies.

Amarinder Singh
Chief Minister, Punjab

FINANCIAL MEMORANDUM

With the introduction of The Punjab Laws (Special Provision for regularization of Un-authorized colony) Bill 2018, an opportunity to those colonizers/residents is given who have failed to apply for either getting their un-authorized colonies regularized or un-authorized plots/building falling in un-authorized colonies compounded under previous policies. It is proposed to enable residents living in these colonies to get facilities of basic amenities like water supply, sewerage, electricity and adequate roads etc.

The compounding of these unauthorized colonies will be finalized by charging compounding fee from developers/colonizer/ RWA etc. The plot holder will be paying development charges and constructed building's owner will pay regularization charges.

These charges/fee will be deposited in the account of respective Development Authority or Urban Local Bodies and it will be utilized for developmental works in these areas only. In this way the problem of Un-authorized colonies will be dealt in proper way and some funds will be generated which will be spent on infrastructure development of these areas.

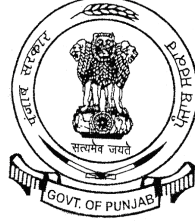
MEMORANDUM REGARDING DELEGATED LEGISLATION

Section 9 of The Punjab Laws (Special Provisions for Regularization of Unauthorized Colonies) Bill, 2018 empowers to the State Government to make rules to carry out the purposes of this Act. The powers sought are necessary for the proper implementation of the provisions of the Act and are normal in nature.

The Governor has, in pursuance of clause (1) and (3) of Article 207 of the Constitution of India, recommended to the Punjab Legislative Assembly, the introduction and consideration of the Bill.

CHANDIGARH:
THE 27TH MARCH, 2018

SHASHI LAKHANPAL MISHRA
SECRETARY.



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CHANDIGARH, TUESDAY, MARCH 27, 2018
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PUNJAB VIDHAN SABHA SECRETARIAT
NOTIFICATION

The 27th March, 2018

No. 14-PLA-2018/18.-The Punjab Social Security Bill, 2018 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No.14-PLA-2018

THE PUNJAB SOCIAL SECURITY BILL, 2018

A
BILL

to provide for the establishment of Punjab Social Security Fund with a view to provide for social services to the eligible beneficiaries under the relevant Schemes of the State of Punjab, in the form of pension to senior citizens, widows, destitute women, physically challenged persons; health and accident insurance; scholarship for education of children belonging to deprived sections; and such other financial assistance to poor and needy, as may be considered necessary.

BE it enacted by the Legislature of the State of Punjab in the Sixty-ninth Year of the Republic of India as follows: -

1. (1) This Act may be called the Punjab Social Security Act, 2018.

Short title and
commencement.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

Definitions.

2. (1) In this Act, unless the context otherwise requires,—

- (a) "collecting authority" means the authority as specified in sub-section (1) and sub-section (2) of section 7;
- (b) "Fund" means the Punjab Social Security Fund constituted under section 4;
- (c) "Government" means the Government of the State of Punjab in the Department of Finance;
- (d) "prescribed" means prescribed by rules made under this Act;
- (e) "Scheduled Bank" means a bank included in the Second Schedule to the Reserve Bank of India Act, 1934;
- (f) "section" means section of this Act;
- (g) "Social Security" means a system or mode or a measure that provides financial assistance, in cash or kind, to persons or class of persons with social, economic or physical disabilities or to a person or class of persons that the Government may by notification, specify;
- (h) "social service" means the service including pensions for senior citizens, widows, destitute women, physically challenged persons; health and accident insurance; scholarship for children belonging to the Scheduled Castes, Backward Classes and minorities; marriage grants to girls belonging to the Scheduled Castes, Backward Classes and minorities; and financial assistance to the unemployed youth and acid attack victims; and
- (i) "Trust" means the Trust established under section 6.

(2) The words and expressions used in this Act, but not defined, shall have the same meaning as assigned to them in the Punjab Value Added Tax Act, 2005 (Punjab Act No. 8 of 2005), the Punjab Motor Vehicles Taxation Act, 1924 (Punjab Act No. 4 of 1924), the Punjab Electricity (Duty) Act, 2005 (Punjab Act No. 9 of 2005), the Punjab Tax on Lotteries Act, 2005 (Punjab Act No. 18 of 2005) and the Companies Act, 2013 (Central Act No. 18 of 2013).

Levy of Social Security.

3. Notwithstanding anything contained in any other law for the time being in force and subject to the rules made or notifications issued under this Act, there shall be levied for the purpose of providing social services,—

- (i) a Social Security Surcharge not exceeding rupees two per liter on

sale of petrol and/or diesel which are subject to Punjab Value Added Tax levied under the Punjab Value Added Tax Act, 2005;

- (ii) a Social Security Surcharge not exceeding one percent of value of vehicles registered in the State of Punjab which are subject to payment of tax under the Punjab Motor Vehicles Taxation Act, 1924;
- (iii) a Social Security Surcharge not exceeding ten percent of tax on transportation vehicles in the State of Punjab which are subject to such tax under the Punjab Motor Vehicles Taxation Act, 1924;
- (iv) a Social Security Surcharge at the rate of five percent of monthly electricity bill:

Provided that the minimum liability of the consumer shall not be less than rupees twenty five per month and the maximum liability of the consumer shall not exceed rupees ten thousand per month; and

- (v) a Social Security surcharge not exceeding ten per cent of excise duty and license fee as chargeable under the Punjab Excise Act, 1914 (Punjab Act No. 1 of 1914):

Provided that the Government may by notification, exempt a person or a class of persons from payment of Social Security Surcharge under this Act.

4. (1) There shall be constituted a Fund to be called the Punjab Social Security Fund. Constitution of Fund.

(2) The Fund shall vest with the Government.

(3) The Fund shall comprise of Social Security Surcharge levied and collected under this Act.

(4) The Fund shall also comprise of net revenues collected by the Government under the Punjab Tax on Lotteries Act, 2005.

(5) The Fund may receive Corporate Social Responsibility Contributions as per Schedule VII under section 135 of the Companies Act, 2013 for the purposes of this Act and such contributions shall also be deposited in the Fund account as per sub-section (3) of section 7 of the Act.

(6) The Fund may also receive contributions from individuals, partnership firms or companies under the Companies Act, 2013.

5. (1) The Fund shall be applied for the social services as defined in clause (h) of section 2. Purposes of Fund.

(2) Without prejudice to the generality of the provisions of sub-section (1), the Fund shall be applied for the following purposes:-

- (a) senior citizen pensions;
- (b) widow pensions;
- (c) pensions for physically challenged persons;
- (d) pensions for destitute women;
- (e) health and accident insurance;
- (f) post-matric scholarship for education of students belonging to Scheduled Castes, Backward Classes and minorities;
- (g) marriage grants to girls belonging to the Scheduled Castes, Backward Classes and minorities;
- (h) financial assistance to acid attack victims;
- (i) un-employment allowance; and
- (j) any other purpose, as may be prescribed.

Management of Fund.

6. (1) The Fund constituted under section 4 shall be managed by a Trust established by the Government. Such Trust shall be registered under the Indian Trusts Act, 1882.

(2) The Governing Body of the Trust shall comprise of the Chief Minister, Punjab, Finance Minister, Punjab, Social Security Minister, Punjab and Welfare of Scheduled Castes and Backward Classes Minister, Punjab, as ex-officio members.

(3) The Chief Minister shall be the Chairman of the Trust.

(4) The Government shall nominate three persons of eminence in the field of public finance and social welfare as non-official members of the Trust.

(5) The Finance Secretary, Punjab shall be the ex-officio Member-Secretary of the Trust.

Manner of collection of Social Security Surcharge.

7. (1) The authorities empowered to assess, re-assess or collect tax under the Punjab Value Added Tax Act, 2005, the Punjab Motor Vehicles Taxation Act, 1924, the Punjab Electricity (Duty) Act, 2005 and the Punjab Tax on Lotteries Act, 2005, shall assess, re-assess or collect the Social Security Surcharge levied under this Act from each of the persons liable to pay such a tax under these Acts.

(2) The Corporate Social Responsibility contributions as per Schedule

VII under section 135 of the Companies Act, 2013 to the Social Security Fund shall be collected in such manner, as may be prescribed.

(3) The authorities referred to in sub-sections (1) and (2), shall deposit the proceeds of Social Security Surcharge collected from the persons liable to pay such a surcharge either in cash or by cheque or by direct electronic transfer in a specified Punjab Social Security Fund account.

8. The procedure for maintenance of accounts and submission of returns of Social Security Surcharge levied under this Act, shall be the same as is prescribed under the Punjab Value Added Tax Act, 2005, the Punjab Motor Vehicles Taxation Act, 1924, , the Punjab Electricity (Duty) Act, 2005, the Punjab Tax on Lotteries Act, 2005 and the Companies Act, 2013.

Procedure for maintenance of accounts and submission of Social Security Surcharge.

9. (1) The proceeds of the Social Security Surcharge collected under this Act shall be deposited in the Fund account on weekly basis but not later than fifteen days from the date of collection of such surcharge.

Procedure for deposit of Fund and meeting obligations.

(2) The Government shall open account(s) in any of the Schedule Banks for managing and carrying out the transactions with respect to the Fund.

(3) The Government on the recommendations of the Governing Body of the Trust may,—

- (i) after meeting their obligations as specified in sub-section (2) of section 5, invest the surplus Fund including the Government securities in such manner, as it may deem fit;
- (ii) constitute one or more advisory committees or engage suitable advisors to advise the Government for the efficient utilization of the Fund;
- (iii) enter into and perform all such agreements, as it may deem necessary or expedient for performing any of its functions; and
- (iv) perform such other acts, as it may deem necessary or expedient for the proper conduct of its functions and for carrying out the purposes of the Act.

10. The Government may borrow and raise money in such manner as it deems fit and secure the repayment of any money borrowed or raised, by mortgage, charge, standard security, lien or other security upon the whole or any part of Government assets (whether present or future), and also by a similar mortgage, charge, standard security, lien or security, guarantee for the

Power of the Government to borrow and raise money.

performance of any obligation or liability, it may undertake or which may become binding on it.

Audit. 11. The accounts of the Fund shall be audited by the Local Fund Examiner, Punjab.

Prosecution of
action taken in
good faith. 12. No suit, prosecution or other legal proceeding shall lie against the Government or any other officer of the Government in respect of anything, which is done in good faith or intended to be done in pursuance of the provisions of this Act, rules made or any order issued thereunder.

Power to make
rules. 13. (1) The Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this section, shall be laid as soon as may be, after it is made, before the house of State Legislature while it is in session for a total period of ten days, which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session in which, it is laid or the successive sessions as aforesaid, the house agrees in making any modification in the rules or the house agrees that the rules should not be made, the rules shall thereafter have effect only in such modified form or be of no effect as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

Power to remove
difficulties. 14. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, make such provisions including any adaptation or modification of any provision of this Act, as appears to the Government to be necessary or expedient for the purpose of removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

Repeal and
saving. 15. (1) The Punjab Social Security Act, 2000 (Punjab Act No.11 of 2000), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Act referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of this Act.

STATEMENTS OF OBJECTS AND REASONS

The Punjab Social Security Bill, 2018 is proposed to provide for social services in form of pension to senior citizens, old-aged, widows, destitute women, physically challenged persons, health and accident insurance, scholarship for education of children belonging to deprived sections, and such other financial assistance to poor and needy as may be considered necessary. The fund will provide a dedicated corpus to meet its social security obligations in a regular manner.

Manpreet Singh Badal,
Minister for Finance, Punjab

FINANCIAL MEMORANDUM

With the establishment of Punjab Social security bill 2018, it is proposed to impose/Levy (i) a Social Security Surcharge not exceeding Rs. two per liter on sale of petrol and/or diesel which are subject to Punjab Value Added Tax levied under the Punjab Value Added Tax Act, 2005; (ii) a Social Security Surcharge not exceeding one percent of value of vehicles registered in the State of Punjab which are subject to payment of tax under the Punjab Motor Vehicles Taxation Act, 1924; (iii) a Social Security Surcharge not exceeding ten percent of Motor Vehicle Tax on transportation vehicles in the State of Punjab which are subject to such tax under the Punjab Motor Vehicles Taxation Act, 1924; (iv) a Social Security Surcharge at the rate of five percent of monthly electricity bill, provided that the minimum liability of the consumer shall not be less than rupees twenty five per month and the maximum liability of the consumer shall not exceed rupees ten thousand per month; and (v) a Social Security surcharge not exceeding ten percent of excise duty and license fee as chargeable under the Punjab Excise Act, 1914 (Punjab Act No.1 of 1914). The Fund may receive Corporate Social Responsibility Contribution as per Schedule VII under section 135 of the Companies Act, 2013 for the purposes of this Act and such contribution shall also be deposited in the Fund account as per sub-section (3) of section 7 of the Act. (vi) the fund may also receive contribution from individuals, partnership firms or companies under the companies Act, 2013. The fund shall be applied for purpose such as Senior citizen pensions, Widow pensions, Pensions for physically challenged persons, Pensions for destitute women, Health and accident insurance, Post-matric scholarship for education of students belonging to Scheduled Castes, Backward Classes and minorities, Marriage grants to girls belonging to the Scheduled Castes, Backward Classes and minorities, Financial assistance to acid attack victims, Un-employment allowance, and any other purpose, as may be prescribed.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Section 13 of "The Punjab Social Security Bill , 2018" empowers to the State Government to make rules to carry out the purpose of this Act. The powers sought are necessary for the proper implementation of the provisions of the Act and are normal in nature.

The Governor has, in pursuance of clause (1) and (3) of Article 207 of the Constitution of India, recommended to the Punjab Legislative Assembly, the introduction and consideration of the Bill.

CHANDIGARH:
THE 27TH MARCH, 2018

SHASHI LAKHANPAL MISHRA
SECRETARY.

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